

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 2, 3, 5-8, and 20-22 are pending; Claims 1 and 9-16 are canceled; Claims 20-22 are newly added; and Claims 17-19 are withdrawn from consideration. It is respectfully submitted that no new matter is added by this amendment.

In the outstanding Office Action, Claims 1-3, 5-8, and 10 were rejected under 35 U.S.C. § 103(a) as unpatentable over Chen et al. (U.S. Pat. No. 6,016,290, hereafter Chen) in view of Kobayashi et al. (U.S. Pat. No. 4,840,922 hereafter Kobayashi) in view of Peale et al. (U.S. Pat. No. 6,314,122, hereafter Peale), Majors et al. (U.S. Pat. No. 5,850,411, hereafter Majors) and further in view of in view of Ueyanagi (U.S. Pat. No. 6,396,776); Claim 4 was rejected under 35 U.S.C. § 103(a) as unpatentable over the references applied to Claim 1 and further in view of either Sawamura et al. (U.S. Pat. No. 4,637,953, hereafter Sawamura); Choi et al. (U.S. Pat. No. 6,464,822, hereafter Choi), or Kashawagi (U.S. Pat. No. 6,023,451); Claim 11 was rejected under 35 U.S.C. § 103(a) as unpatentable over the references applied to Claim 10 and further in view of Sawamura, Choi, or Kashawagi and Claim 16 was rejected under 35 U.S.C. § 102(e) as anticipated by Stovall et al. (U.S. Pat. No. 6,404,706 hereafter Stovall).

Claim 1 has been cancelled, thereby rendering the rejections of Claim 1 moot. ✓

With regard to the outstanding rejections of Claims 2, 3, and 5-8, these rejections are respectfully traversed.

Claim 2, from which Claims 3 and 5-8 depend, recites in part that a polarizing direction of the light emitted from the laser device is approximately perpendicular to a ✓ direction along a longitudinal direction of recording tracks formed on the medium, a width W1 of the aperture taken along the polarizing direction is smaller than a width W2 of the ✓

aperture taken approximately perpendicular to the polarizing direction, and the width W1 is shorter than 1/2 of a wavelength at the center of a spectrum of the light emitted from the laser device.

Therefore, because it is possible to obtain a precipitous distribution of near-field light, as shown in Figures 4A and 4B of the present specification, the wave propagation mode may be implemented. The wave propagation mode considerably decreases loss, even with a minute aperture equal to or less than the wavelength. As a result, loss of light due to penetration into the metal surrounding the aperture may be greatly reduced. Thus it is possible to collect light with drastically enhanced deficiency into direct light to the medium more efficiently.<sup>1</sup> Generally, in order to implement super high density thermally assisted magnetic recording, it is necessary to direct such near-field light, which has a sufficient amount and precipitous distribution to the medium.

None of Chen, Kobayashi, Peale, Majors, Ueyanagi, Sawamura, Choi, Kashawagi and Stovall discloses or suggests using near-field light with a sufficient amount and a precipitous distribution being directed to the medium in order to implement super high density thermally assisted magnetic recording. Accordingly, as none of the cited references disclose or suggest the features recited in independent Claim 2, from which Claims 3 and 5-8 depend, it is respectfully submitted that Claims 2, 3, and 5-8 patentably distinguish over the cited references.

Newly added Claims 20-22 are likewise believed to patentably distinguish over the references of record. Additionally, as support may be found for new Claims 20-22 in the specification at pages 23-27, for example, it is respectfully submitted that no new matter is added by Claims 20-22.

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<sup>1</sup> Specification, page 26, lines 15-22.

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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